

## REMARKS

### **I. Introduction**

Claims 9, 10, and 12 to 16 are currently pending in the present application. Claims 9 and 10 have been amended. In view of the foregoing amendments and the following remarks, it is respectfully submitted that claims 9, 10, and 12 to 16 are allowable, and reconsideration of these claims is respectfully requested.

### **II. Drawing and Specification Objections & Rejection**

The Examiner objected to the drawings under 37 CFR 1.83(a) as failing to show “the communication devices not being connected to each other as recited in claim 9.” Applicants note that claim 9 has been amended to recite that “the first, second and third communication devices are discrete and are not directly connected to each other,” which feature is clearly shown in Fig. 1, for example. Accordingly, the drawing objection should be withdrawn.

The Examiner has also objected to the specification because the “originally filed specification fails to provide support for the added limitation of the communication devices not being connected to each other as recited in claim 9.” As noted above, claim 9 has been amended to recite that “the first, second and third communication devices are discrete and are not directly connected to each other,” which feature is clearly shown in Fig. 1, for example, as well as clearly explained in the Substitute Specification, e.g., p. 4, l. 24 p. 5, l. 2, and p. 6, l. 8-32. Accordingly, the specification objection should be withdrawn.

Claims 9 and 13-16 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement because the “originally filed disclosure fails to provide support for the added negative limitation of the communication devices not being connected to each other as recited in claim 9.” In this regard, the “Examiner notes that the communication devices are connected to each other via the modules in a similar way that the modules are all connected to each other via the communication devices.” To the extent the Examiner is implicitly contending that the communication devices are indirectly connected to one another via the indirect connections among the braking modules, Applicants note that claim 9 has been amended to recite that “the first, second and third communication devices are discrete and are not directly connected to each other,” which feature is clearly shown in Fig. 1, for example, as well as clearly explained in the Substitute Specification, e.g., p. 4, l.

24 p. 5, l. 2, and p. 6, l. 8-32. Accordingly, the rejection based on the alleged failure to comply with the written description requirement should be withdrawn.

### **III. Allowable Subject Matter of Claims 9 and 13-16**

The Examiner indicated that claims 9 and 13-16 would be allowable if amended to overcome the rejection under 35 U.S.C. §112, first paragraph. Since Applicants have amended claim 9 to overcome the rejection under 35 U.S.C. §112, first paragraph, Applicants submit that claim 9 and its dependent claims 13-16 are now in allowable condition.

### **IV. Rejection of Claims 10 and 12 under 35 U.S.C. § 103(a)**

Claims 10 and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over the APA, U.S. Patent No. 6,540,309 (“Jordan”), and U.S. Patent No. 5,086,499 (“Mutone”). Applicants respectfully submit that this rejection should be withdrawn, for the following reasons.

Amended independent claim 10 recites the following:

10. A decentralized electrical braking system, comprising:
  - at least four sensors for sensing an actuation of a brake actuating device;
  - at least four wheel-braking modules, each wheel-braking module being assigned to a corresponding vehicle wheel and acquiring sensor data and controlling braking of the corresponding vehicle wheel;
  - at least one first communication device connecting all four wheel-braking modules to one another for exchange of data;
  - an electrical connecting device for connecting each sensor to at least one wheel-braking module; and
  - at least one of a second communication device and a third communication device for facilitating at least one of receiving and exchanging data between at least two wheel-braking modules associated with opposite lateral sides of the vehicle, wherein the first, second and third communication devices are discrete,
    - wherein the at least one of the second communication device and the third communication device is configured identically with respect to connections to the at least four wheel-braking modules as the first communication device, and each sensor is directly connected to two wheel-braking modules associated with opposite lateral sides of the vehicle, on the same axle.

In support of the rejection, the Examiner contends that it would have been obvious to incorporate the connection configuration of Mutone into the arrangement shown in Fig. 4 of the present application “in order to provide means of redundantly detecting and cross-checking data as taught by Mutone in col. 1, lines 55-68.” In addition, the Examiner further contends in the “Response to Arguments” section of the Office Action that: (a) the Examiner “is not relying on Mutone to teach sensors since the APA teaches the sensors”; (b) “Mutone is relied upon solely for the teaching of having each of components 14, 16 being connected to two modules 17, 18 on opposite sides”; and (c) “as broadly recited, each sensor in Figure 4 is connected to two wheel braking modules associated with opposite lateral sides of the vehicle on the same axle because one sensor is directly connected to one module and the one sensor is also indirectly connected . . . to a module on the opposite lateral side.” Applicants will address these contentions in detail below.

First, to the extent the Examiner is implicitly contending that the graphical positioning of I/O racks 17, 18 in the drawing Mutone can somehow be equated with the relative positioning of **two wheel-braking modules associated with opposite lateral sides of the vehicle on the same axle**, this contention has no logical basis since the graphical positioning of the I/O racks has no relevance to the redundant connection function sought by Mutone.

Second, to the extent the Examiner is implicitly contending that the connection configuration between the satellite computers 14, 16 and the I/O racks 17, 18 of Mutone would suggest incorporating such a connection configuration between the sensors and the wheel braking modules shown in Fig. 4 of the present application, this contention is simply an unsupported speculation of the Examiner, and there is no logical basis to conclude that a connection configuration between satellite computers and I/O racks would be in any way relevant to a connection configuration between sensors and wheel-braking modules.

Third, to the extent the Examiner contends that “each sensor in Figure 4 is [either directly or indirectly] connected to two wheel braking modules associated with opposite lateral sides of the vehicle on the same axle,” amended claim 10 now recites that “**each sensor is directly connected to two wheel-braking modules associated with opposite lateral sides of the vehicle, on the same axle**,” thereby obviating the Examiner’s contention of indirect connection.

For at least the foregoing reasons, the overall disclosure of the APA and Mutone fails to teach or suggest **a sensor directly connected to two wheel-braking modules associated with opposite lateral sides of a vehicle, on the same axle**. Moreover, Jordan also does not disclose or suggest these claimed features of claim 10. Therefore, independent claim 10 and its dependent claim 12 are not rendered unpatentable by the combination of the APA, Jordan and Mutone. It is therefore respectfully requested that the rejection be withdrawn.

**Conclusion**

Applicants respectfully submit that claims 9, 10, and 12-16 of the present application under consideration are now in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,



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